

Katherine Kelly Lutton (CAB # 194971)  
[lutton@fr.com](mailto:lutton@fr.com)

Katherine D. Prescott (CAB # 215496)  
[Prescott@fr.com](mailto:Prescott@fr.com)

Robert J. Kent (CAB # 250905)  
[RJKent@fr.com](mailto:RJKent@fr.com)

FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 500  
Redwood City, CA 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

Barbara A. Benoit (*Admitted Pro Hac Vice*)  
[benoit@fr.com](mailto:benoit@fr.com)

FISH & RICHARDSON P.C.  
1425 K Street, N.W., 11<sup>th</sup> Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

Attorneys for Plaintiff  
SUN MICROSYSTEMS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SUN MICROSYSTEMS, INC.,

Plaintiff,

v.

IMPLICIT NETWORKS, INC.,

Defendant.

Case No. C09-00201 SI

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME FOR  
PLAINTIFF TO RESPOND TO  
DEFENDANT'S COUNTERCLAIMS**

**JURY TRIAL DEMANDED**

The Plaintiff Sun Microsystems, Inc. ("Sun") and Defendant Implicit Networks, Inc. ("Implicit") file this Joint Stipulation to extend the time for Sun to file its response to the Counterclaims of Implicit filed on February 27, 2009. Implicit has no objection to extending the time for Sun to file its response to the counterclaims from March 19, 2009 to April 20, 2009.

Plaintiff Sun and Defendant Implicit have a mutual interest in the orderly and efficient conduct of this litigation. Plaintiff and Defendant agree that the foregoing extension of time will

1 assist the parties in the formulation of their pleadings and responses in the present action and ensure  
2 the orderly and efficient conduct of this litigation.

3 Therefore, Defendant Implicit Networks, Inc. and Plaintiff Sun Microsystems, Inc. request  
4 that the Court: extend the date for Plaintiff Sun Microsystems, Inc. to respond to the Defendant's  
5 counterclaims until April 20, 2009.

7 Dated: March 17, 2009

FISH & RICHARDSON P.C.

8 By: /s/ Robert J. Kent

9 Robert J. Kent

10 Attorneys for Plaintiff  
11 SUN MICROSYSTEMS, INC.

12 Dated: March 17, 2009

HOSIE RICE LLP

14 By: /s/ George F. Bishop

15 George F. Bishop

16 Attorneys for Defendant  
17 IMPLICIT NETWORKS, INC.

18 Pursuant to General Order 45, Section X(B) regarding signatures, I Attest under penalty of  
19 perjury that concurrence in the filing of this document has been obtained from George F. Bishop.

20 Dated: March 17, 2009

FISH & RICHARDSON P.C.

21 By: /s/ Robert J. Kent

22 Robert J. Kent

23 Attorneys for Plaintiff  
24 SUN MICROSYSTEMS, INC.

25 **IT IS SO ORDERED.**

26 Dated: \_\_\_\_\_

27 Honorable Susan Illston  
28 JUDGE OF THE U.S. DISTRICT COURT